

Chapter 86

(Senate Bill 681)

AN ACT concerning

Consumer Protection – Recovering of Bedding – Limitation

FOR the purpose of prohibiting a person from recovering certain bedding that is intended to be sold or offered for sale to a consumer in the State unless the person clearly marks the bedding as used; establishing a certain penalty; defining certain terms; and generally relating to a limitation on the recovering of bedding.

BY adding to

Article – Commercial Law

Section 14–1316

Annotated Code of Maryland

(2013 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Commercial Law

14–1316.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “BEDDING” MEANS A MATTRESS OR BOX SPRING THAT:

(i) IS STUFFED OR FILLED WHOLLY OR PARTLY WITH CONCEALED MATTER; AND

(ii) CAN BE USED BY AN INDIVIDUAL FOR SLEEPING OR RECLINING.

(3) “CONSUMER” MEANS AN ACTUAL OR A PROSPECTIVE PURCHASER OF GOODS THAT ARE PRIMARILY FOR PERSONAL, HOUSEHOLD, OR FAMILY PURPOSES.

(4) “USED” MEANS PREOWNED OR HAVING A COMPONENT THAT WAS USED PREVIOUSLY FOR ANY PURPOSE.

(B) A PERSON MAY NOT RECOVER BEDDING THAT IS INTENDED TO BE SOLD OR OFFERED FOR SALE TO A CONSUMER IN THE STATE UNLESS THE PERSON CLEARLY MARKS THE BEDDING AS USED.

(C) A PERSON WHO VIOLATES SUBSECTION (B) OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, April 11, 2017.